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Counsel for Defendant Netflix

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

IN RE ONLINE DVD RENTAL ANTITRUST LITIGATION	Master File No. 4:09-md-2029 PJH MDL No. 2029 Hon. Phyllis J. Hamilton
This document relates to: ALL ACTIONS	STIPULATION AND [PROPOSED] ORDER WITHDRAWING PLAINTIFFS' MOTION TO EXCLUDE TESTIMONY OF DEFENDANT NETFLIX, INC.'S PROPOSED DAMAGES EXPERT: DR. MARY COLEMAN

1 WHEREAS, Plaintiffs filed a Motion to Exclude Testimony of Defendant Netflix's
2 Proposed Damages Expert: Dr. Mary Coleman on May 11, 2011 (the "Motion"), which sought to
3 exclude certain portions of the testimony of Dr. Coleman, Netflix's proposed antitrust damages
4 expert;

5 WHEREAS, Netflix and Dr. Coleman have agreed to revise such testimony, as reflected
6 in Exhibit A (the "Revised Report of Dr. Mary Coleman, dated May 12, 2011," attached hereto)
7 to eliminate the testimony which Plaintiffs' Motion sought to exclude;

8 NOW, THEREFORE, the undersigned parties hereby stipulate as follows:

- 9 1. Plaintiffs' Motion (ECF No. 396) is hereby withdrawn and that the August 31, 2011
10 hearing date for the Motion may be vacated.
- 11 2. Plaintiffs do not waive, but instead expressly reserve, any and all other objections to
12 the admissibility of Dr. Coleman's testimony they might otherwise have a right to
13 advance.

14
15 Dated: June 9, 2011

Respectfully submitted,

16
17 By: /s/ Matthew Ruan
Matthew Ruan

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1 Dated: June 9, 2011

Respectfully submitted,

3 By: /s/ Dylan J. Liddiard
4 Dylan J. Liddiard

5 Keith Eggleton
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21 Counsel for Defendant Netflix

22 **IT IS SO ORDERED.**

23 Dated: 6/13/11

24 By: _____

25 Hon. Phyllis J. Hamilton
26 United States District Judge



E-FILING SIGNATURE ATTESTATION

I, Dylan J. Liddiard, am the ECF User whose ID and password was used to file this
**STIPULATION AND [PROPOSED] ORDER WITHDRAWING PLAINTIFFS' MOTION
TO EXCLUDE TESTIMONY OF DEFENDANT NETFLIX, INC.'S PROPOSED
DAMAGES EXPERT: DR. MARY COLEMAN.** In compliance with General Order 45 ¶
X.B., I hereby attest that Matthew Ruan, counsel for Plaintiffs and the Proposed Class, concurred
in this filing.

Dated: June 9, 2011

By: /s/ Dylan J. Liddiard
Dylan J. Liddiard